

COURT OF APPEALS
DIVISION TWO
OF THE STATE OF WASHINGTON

84856-4

COURT OF APPEALS
DIVISION TWO

CO. JAIL - 8 PM 12:05

STATE OF WASHINGTON
BY Vs
DEPUTY

STATE OF WASHINGTON

Respondent,

v.

MICHAEL L. SUBLETT,

Appellant.

No. 38034-0-II

STATEMENT OF ADDITIONAL
GROUND FOR REVIEW

I, MICHAEL L. SUBLETT, have received and reviewed the opening brief prepared by my attorney. Summarized below are the additional grounds for review that are not addressed in that brief. I understand the Court will review this Statement of Additional Grounds for Review when my appeal is considered on the merits.

Additional Ground 1

THAT JUDGE POMEROY DID NOT ALLOW TWO PHONE
CONVERSATIONS INTO THE TRIAL THAT I BELIEVE WOULD
HAVE HAD A GREAT IMPACT ON DETERMINING GUILT IN
THIS MOST HORRIFIC CRIME. (SEE ATTACHED)
(TRANSCRIPT DATE JAN 25TH, 2007 PAGE #8 LINES 1-13)
(TRANSCRIPT DATE JAN 27TH, 2007 PAGE #5 1-16)
JUDGE POMEROY STATED THESE CONVERSATIONS WERE NOT RELEVANT 0 PLEASE READ!

Additional Ground 2

A POTENTIAL CRITICAL WITNESS (ALEXIS COX) NOT BEING
INTERVIEWED BY THE PROSECUTOR'S OFFICE WHEN SHE
MADE CONTACT WITH THEM AND THE PROSECUTOR'S OFFICE
NOT INFORMING MY ATTORNEY OF THIS WITNESS.

If there are additional grounds, a brief summary is attached to this statement.

Date: July 2ND, 2009

Form 23

Signature Michael L. Sublett
CERTIFICATE OF SERVICE
I certify that I mailed
1 copies of SAA
to C. Laverne Backlund, Ministry
J. Ellis, T. Doyle
Date 7/8/09

ADDITIONAL GROUND #3

MY ATTORNEY, CHARLES LANE INFORMING ME THAT I COULD NOT TESTIFY IN MY OWN BEHALF BECAUSE WE HAD ALREADY CLOSED. DID NOT REQUEST TO RE-OPEN EVEN AS THE TRIAL WAS STILL IN PROGRESS.

ADDITIONAL GROUND #4

MY ATTORNEY NEVER ENTERING INTO EVIDENCE THE SIGNED STATEMENT OF ERIN VAN BROCKLIN, WHO WAS CHRIS OLSEN'S CELLMATE IN THURSTON COUNTY JAIL, ON THE WAY HE KILLED JERRY TOTTEN. THIS WAS RELATED TO VAN BROCKLIN BEFORE THE AUTOPSY REPORT AND CHARGES WERE FILED ON OLSEN. COUNTY PHONE RECORDS BETWEEN VAN BROCKLIN AND KAY REESE CAN PUT A TIME LINE ON WHEN VAN BROCKLIN WAS GIVEN THIS INFORMATION BY OLSEN.

ADDITIONAL GROUND #5

PROSECUTOR BRUNEAU'S USE OF VISUAL GRAPHICS WITH MY PICTURE ON A 6 FOOT X 6 FOOT SCREEN WITH THE WORD GUILTY IN BRIGHT RED LETTERS ACROSS MY FACE IN FRONT OF THE JURY. ALSO, HIS USE OF THE D.N.A. EXPERT TO SAY THAT D.N.A. FOUND IN LATEX GLOVE WAS 1 AND 600 TRILLION THAT IT WAS OLSEN'S AND THAT THE D.N.A. TESTED ON A BASEBALL BAT COULD HAVE BEEN MINE IS 1 AND 130.

*"Thank You" for your time
and energy in this matter.
Sincerely,*

Michael Lynn Sublett